

**REMARKS/ARGUMENTS**

In the Office Action, the Examiner noted that claims 1-20 are pending in the application and that claims 1-20 are rejected. By this response, claims 1, 5, and 14 have been amended. Thus, claims 1-20 remain pending in this application.

**Rejection Under 35 U.S.C. §112, second paragraph**

Claims 1 and 5 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claim 14 is also apparently rejected under 35 U.S.C. §112, second paragraph, as lacking sufficient antecedent basis for the limitation "the CPU" in line 1. Applicants have amended claims 1, 5, and 14 to overcome the rejections under 35 U.S.C. §112, second paragraph.

Hence, Applicant asserts that claims 1, 5, and 14 overcome the §112, second paragraph, rejection, and withdrawal of the rejection is respectfully requested.

**Rejections Under 35 U.S.C. §103**

Claims 1-9 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over *Danknick, et al.* (U.S. Patent 5,901,286) in view of *Moshaiov* (U.S. Patent 6,678,726). Claim 19 is rejected under 35 U.S.C. §103(a) as being unpatentable over *Danknick, et al.* (U.S. Patent 5,901,286) in view of *Christensen* (U.S. Patent 5,862,431). More particularly, the Examiner has asserted that *Danknick, et al.* discloses (as shown in Fig. 1) an electronic service transaction apparatus comprising a "computer peripheral device (1, 3) having a communication link (6) to provide send and receive capabilities within an electronic service site (20) via (4, 8) wherein the communication link (6) is operative to connect a computer peripheral device with the electronic service site through the Internet". Applicants respectfully disagree with the Examiner's assertion.

*Danknick, et al.* does not disclose a computer peripheral device as recited in independent claim 1. As shown in Figure 1, *Danknick, et al.* shows

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Amendment A

workstations (1, 3) instead of computer peripheral devices. A workstation is defined in McGraw-Hill Computer Desktop Encyclopedia, 9<sup>th</sup> ed., 2001, as "a terminal or desktop computer in a network. In this context, workstation is just a generic term for a user's machine (client machine)". McGraw-Hill Computer Desktop Encyclopedia, 9<sup>th</sup> ed., 2001, defines a peripheral (as used in computer peripheral device) as "any hardware device connected to a computer, such as ... a printer".

Claim 1 clearly recites "a computer peripheral device having a communication link with an electronic service site and a messaging system...". Figure 1 of *Danknick, et al.* shows a workstation (1,3) that is separate from the communication link (6). Figure 1 of *Danknick, et al.* does show a computer peripheral device in the form of copier 11 and printers 10 and 17. However, these computer peripheral devices are not analogous to the workstations 1 and 3.

In order for the Examiner to prove a case of *prima facie* obviousness, the Examiner must provide (1) one or more references (2) that were available to the inventor and (3) that teach (4) a suggestion to combine or modify the references, (5) the combination or modification of which would appear to be sufficient to have made the claimed invention obvious to one of ordinary skill in the art. Accordingly, *Danknick, et al.* does not teach or suggest the provision of a computer peripheral device having a communication link with an electronic service site and a messaging system, as recited in claim 1.

Accordingly, claims 1-9 are believed to be non-obvious as *Danknick, et al.* does not teach or suggest the combination recited in independent claim 1. Secondly, dependent claim 16 is also non-obvious for reasons cited below with reference to independent claim 15 wherein *Danknick, et al.* fails to teach the necessary elements as asserted by the Examiner.

Additionally, the Examiner asserts that *Moshaiov* (U.S. Patent No 6,678,726 B1) discloses a method and apparatus for automatically determining topology information for a computer within a message queuing network and has the capability to be accessed directly by the computer peripheral device to initiate an electronic service transaction from the computer peripheral device with an electronic service site. Applicants respectfully disagree. *Moshaiov* does

not teach the ability to be accessed directly by the computer peripheral device to initiate an electronic service transaction from the computer peripheral device with an electronic service device. *Moshaiov* (see Abstract) teaches a method and system provided for a message queuing computer to automatically determine system topology information regarding the computer's location in a message queuing system. Upon initialization of the computer's message queuing software, the message queuing computer determines if there have been changes in the computer's transport network indicating that it has moved to a new location in the message queuing system. If the computer has moved to a new location in the message queuing system, the message queuing computer broadcasts a request for potentially existing message queuing servers around it to provide the topology information concerning its current location. Nowhere does *Moshaiov* mention any of such functionality with respect to a computer peripheral device. The Examiner is absolutely wrong and has misapplied *Moshaiov*.

Accordingly, claims 1-9 and 16 are believed to be allowable and withdrawal of these rejections is respectfully requested.

**Rejections Under 35 U.S.C., §102**

Claims 10-15, 17-18, and 20 are rejected under 35 U.S.C. §102(b) as being anticipated by *Danknick, et al.* (U.S. Patent 5,901,286). With respect to independent claim 10, the Examiner has asserted that *Danknick, et al.* discloses a computer peripheral device comprising an output engine (82) as shown in Figure 5; a transaction execution subsystem (74) communicating with the output engine; a communication interface (80) communicating with the transaction execution subsystem; and processing circuitry (81) communicating with the transaction execution subsystem and operative to initiate an electronic services transaction from the transaction execution subsystem using the communication interface via an external network with an electronic services provider (see Figs. 1, 5).

Applicants respectfully disagree with the Examiner's assertion. As previously discussed above, *Danknick, et al.* merely discloses a workstation (see Fig. 1, reference numerals 1, 3) and Figure 5. Figure 5 is a "block diagram of a user's workstation (see Brief Description of the Drawings and Col. 6, lines 22-39)". Figure 5 illustrates workstation 9 which includes a central processing unit 81 interfaced with a computer bus 80. Also interfaced with the computer bus 80 is a printer interface 82, a network interface 84, a fax/modem interface 85, a display interface 86, a keyboard interface 90, a mouse interface 91, a main memory 87, and a fixed disk 74. *Danknick, et al.*, at Figures 1 and 5, does not teach a computer peripheral device having an output engine, a transaction execution subsystem communicating with the output engine, a communication interface communicating with the transaction execution subsystem, and processing circuitry communicating with the transaction execution subsystem and operative to initiate an electronic services transaction from the transaction execution subsystem using the communication interface via an external network with an electronic services provider.

The Examiner has asserted that *Danknick, et al.* discloses a method of initiating an electronic services transaction comprising providing a computer peripheral device as shown in Figure 1 having a communication link with an electronic service site and an interface system for initiating an electronic service transaction between the computer peripheral device and electronic service site. Applicants respectfully disagree. The Examiner is mistaken in making this assertion. *Danknick, et al.* teaches a workstation, not a computer peripheral device having a communication link as recited in independent claim 15.

With respect to independent claim 15, *Danknick, et al.* does not teach the provision of a computer peripheral device having a communication link with an electronic service site and an interface system for initiating an electronic service transaction between the computer peripheral device and the electronic service site.

Withdrawal of these rejections is respectfully requested.

**CONCLUSION**

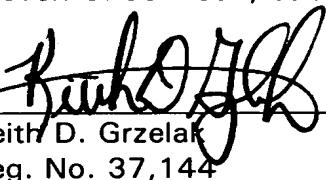
For all the reasons advanced above, Applicants respectfully submit that the application is in condition for allowance, and action to that end is respectfully requested. If the Examiner's next anticipated action is to be anything other than a Notice of Allowance, the undersigned respectfully requests a telephone interview before issuance of any such subsequent action.

Respectfully submitted,

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Date: 1/21/05

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